



WISCONSIN

DEPARTMENT OF WORKFORCE DEVELOPMENT

Division of Economic Support
Bureau of Work Support Programs

**TO: Economic Support Supervisors
Economic Support Lead Workers
Training Staff
Child Care Coordinators
W-2 Agencies**

FROM: Stephen M. Dow
Policy Analysis and Program Implementation Unit
Work Programs Section

SUBJECT: 60-MONTH TIME LIMIT EXTENSIONS AND UPDATED 24-MONTH EXTENSION POLICIES

CROSS REFERENCE: Operations Memos 99-49 and 99-89
W-2 Manual 2.3.0

EFFECTIVE DATE: Immediately

PURPOSE

This memo provides W-2 agencies with:

1. Clarification to policy for determining eligibility for 60-month extensions;
2. Timeframes and procedures for preparing and submitting 60-month extension requests;
3. The impact these new policies and procedures have on the 24-month extension process;
4. A new Enterprise Output Solutions (EOS) report available for tracking 60-month participants; and
5. Information about updated extension request forms.

BACKGROUND

Most W-2 participants are expected to move from W-2 to employment or other resources before reaching the 60-month time limit. The Department recognizes, however, that some W-2 families will need ongoing support, e.g., cash assistance and supportive services, beyond 60-months in order to continue preparing for employment while providing for their children. For that reason, Wisconsin law allows extensions to the 60-month time limit to be granted. All W-2 families approaching the 60-month time limit will be evaluated for a 60-month extension.

Wisconsin has gained much experience in developing and implementing time limit extension policies and procedures through the 24-month employment position time limit extension process. W-2 participants began reaching the 24-month time limit as early as April 1999. Participants will begin reaching their 60-month lifetime eligibility time limit on September 30, 2001. The Department of Workforce Development has developed 60-

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Non W-2 [] W-2 [X] CC []

PRIORITY: High

month extension policies and procedures based on its experience with the 24-month time limit process. Opportunities to mirror the 24-month process, and to improve upon it where necessary, will simplify agencies' ability to process 60-month extensions. For example, based on the similarities of the 24-month and 60-month extension criteria, they have been combined into one set of criteria.

The policies and procedures for 60-month time limit extensions are laid out on the following pages through a series of questions. The attached Time Limit Policies and Procedures chart will help guide you through the answers to those questions. In some instances, the answer refers you directly to the chart for the most complete explanation. If the 60-month policy is the same as the 24-month policy, a reference to where the 24-month policy can be found is made on the chart. However, in some instances the policies and procedures for 60-month extensions are new and some 24-month policies and procedures have changed. Therefore, the new and revised policies warrant further explanation. Those explanations are contained in the information that follows.

POLICIES AND PROCEDURES:

1. *Who determines whether or not a W-2 agency requests a 60-month extension?*

See chart

2. *At what point must a discussion regarding 60-month extensions take place with W-2 participants?*

A discussion regarding an extension to the 60-month time limit must take place no later than when the participant reaches the 54th month of the 60-month lifetime clock. If a person enters W-2 with more than 54 months, discussion must take place at application.

3. *How does the W-2 agency determine whether or not someone qualifies for a 60-month extension?*

The combined 24-month and 60-month extension criteria will be applied to each W-2 group on a case-by-case basis. Based on the similarities in both sets of extension criteria, by policy, they have been combined. In order to determine eligibility for either a 24-month or 60-month extension, the following eligibility criteria must be applied to the W-2 participant. Even if the W-2 participant is in a W-2 group in which the other adult W-2 group member reached 60-months first, the criteria would still be applied to the W-2 participant. If the W-2 participant does not meet the criteria, the W-2 group is no longer eligible for W-2 (see Two-Parent Families).

- a. A Trial Job participant may be granted an extension to the 24-month limit or 60-month limit if the participant has made all appropriate efforts to find unsubsidized employment and has been unable to do so because the local labor market conditions preclude a reasonable unsubsidized employment opportunity for that participant [see (i) and (ii) below].
- b. A CSJ participant may be granted an extension to the 24-month limit or 60-month limit if the W-2 participant has made all appropriate efforts to find and accept unsubsidized employment and has been unable to do so because the local labor market conditions preclude a reasonable unsubsidized employment opportunity for that participant and, for the same reason, there are no Trial Jobs available [see (i) and (ii) below].
- c. A W-2 T participant may be granted an extension to the 24-month time limit or 60-month limit if the participant has made all appropriate efforts to find unsubsidized employment by participating in assigned activities and significant barriers prevent advancement to a higher W-2 employment position as determined by the W-2 agency [see (i) below].

Consider the following when using the above criteria to determine eligibility for an extension:

- i. When determining eligibility for an extension for a trial job or CSJ participant, "reasonable unsubsidized employment opportunity" means a job that pays minimum wage, and conforms to all applicable federal and state laws.
 - ii. When determining eligibility for an extension for a trial job, CSJ or W-2 T participant, in addition to the appropriate criteria above, the W-2 agency shall determine whether the W-2 participant has significant barriers preventing him or her from advancing to a higher W-2 employment position or to a reasonable unsubsidized employment opportunity in the local labor market based on any of the following:
 1. A W-2 participant is unable to work because of personal disability or incapacitation, or is needed as determined by the agency to remain at home to care for a member of the W-2 group whose incapacity is so severe that without in-home care provided by the W-2 participant, the incapacitated W-2 group member's health and well-being would be significantly affected. *In making this determination, the W-2 agency must have written documentation from an appropriate medical professional, division of vocational rehabilitation or similar assessing agency or business. The definition of "W-2 group" can be found in the **W-2 Manual**, Appendix 1, Glossary.*
 2. A W-2 participant has significant limitations to employment such as any of the following:
 - a. Low achievement ability, learning disability, or emotional problems of such severity that they prevent the individual from obtaining or retaining unsubsidized employment, but are not sufficient to meet SSDI or SSI requirements. *In making this determination, the W-2 agency must have written documentation from an appropriate medical professional or assessing agency or business; or*
 - b. Family problems of such severity that they prevent the W-2 participant from obtaining or retaining unsubsidized employment. *In making this determination, the W-2 agency may consider "family problems" experienced by any member of the W-2 group including, but not limited to, legal problems, family crises, homelessness, domestic abuse, or children's school or medical activities that affect one of the members of the W-2 group.*
4. *How does the W-2 agency record the 60-month extension decision?*

By documenting the decision in case comments, filling out the *W-2 Agency Time Limit Extension Record* (DES 11661) and entering the information on CARES screen AIWE. The form, which will be updated and renamed, will be used for both 24-month and 60-month extension decisions.

5. *When must the agency's 60 month extension decision be entered in CARES?*

When the participant reaches 56 months of eligibility. *If a person enters W-2 with more than 56 months, a decision must be made at application.*

The 24-month extension decision must be entered into CARES when the participant reaches 20 months of their 24-month time limit. This is a change to existing 24-month time limit policy, as under the old policy the entry had to be two business days after the individual reached 20 months.

6. *What happens if an individual is not eligible for a 60-month extension?*

The individual is no longer eligible for placement in a Trial Job, CSJ or W-2 T placement.

7. *What is the maximum length for which a 60-month extension may be granted?*

For up to 12 months. The division will review 60-month extensions at six months. The details of this review will be forthcoming; however, it is the Department's intention that this six month review will require very little, if any, additional information from the W-2 agency.

8. *When must a 60-month extension request be submitted to DWD?*

See chart.

9. *What forms and documentation are used to submit a 60-month extension request?*

The *W-2 24-Month and 60-Month Time Limit Extension Request (DES 11282)*. This form, which will be updated and renamed, will be used for both 24-month and 60-month extension requests.

When preparing 60-month extension requests, agencies should use the same guidelines for supplying supporting documentation as provided for 24-month extensions. These guidelines can be found in Operations Memo 00-89. Updated information on supporting documentation necessary for extension requests will be forthcoming.

10. *How can a participant dispute the 60-month extension decision made by the agency?*

See chart.

11. *How can a participant dispute the 60-month extension decision made by DWD?*

See chart.

12. *How will agencies serve individuals who don't need a 60-month extension at first, but then, due to a change in circumstances or some other reason, do?*

Regional staff and W-2 agencies will work together to expedite a review of those cases. Due to concerns with tracking extensions accurately, the entering of interim extensions by W-2 agency staff will no longer be possible without approval from the regional staff.

13. *How will agencies handle participants who were denied a 60-month extension at one agency but then move to another agency?*

See chart.

14. *How will agencies handle participants who were approved for a 60-month extension at one agency but then move to another agency?*

See chart.

15. *How will an agency handle participants who reach 24 months or near the end of a 24-month extension at around the same time as they reach the 60-month time limit?*

If an individual will reach 24 months in a W-2 employment position or the end of a 24-month extension **within six months of reaching** the 60-month lifetime clock, the agency would determine eligibility for a 60-month extension. If the participant reaches 24 months in a W-2 employment position or the end of a 24-month extension **during** the 60-month extension period, the participant would **not** need to be evaluated for a 24-month extension. The 60-month extension would take precedence.

Example 1: Jack has 5 months remaining on his W-2 T 24-month clock and 6 months remaining on his 60-month clock. Because Jack will reach 24 months one month prior reaching 60-months ($6-5=1$) and because this is within six months as stated in policy, the FEP would request a 60-month extension rather than a 24-month extension.

Example 2: Joan reaches 24-months in a CSJ placement and, based on a reassessment, the FEP determines that Joan is more suited for a W-2 T placement due to her medical condition and changes her placement. Subsequently, Joan is determined eligible for a 60-month extension. During Joan's 60-month extension, her medical condition improves. The FEP can move Joan back into a CSJ and continue providing services that will move Joan toward employment. The FEP does not have to request a CSJ 24-month extension since a 60-month extension is in place.

16. *Will 60-month subsequent extensions be permitted?*

See chart.

17. *When must FEPs discuss a 60-month subsequent extension?*

No later than four calendar months prior to the end of the 60-month extension.

18. *When should 60-month subsequent extension requests be submitted?*

Three calendar months prior to the last day of the extension period.

19. *How are 60-month subsequent extension requests made to the Department?*

The *W-2 24-Month and 60-Month Subsequent Extension Request* form (DES 11283). The form, which will be updated and renamed, will be used for both 24-month and 60-month subsequent extensions.

APPLYING THE EXTENSION CRITERIA TO TWO-PARENT FAMILIES

Applying the combined extension criteria when determining 24-month or 60-month extension eligibility for a W-2 group when there is only one adult in it poses few policy or CARES challenges. However, determining 60-month extension eligibility for a W-2 group when there is more than one adult poses some potential challenges to both policy and CARES, particularly when the parent who is not in the W-2 employment position reaches 60 months first. **Although this situation will be rare**, it may occur and, therefore, policy and CARES procedures must be in place to ensure that W-2 group eligibility is affected appropriately.

Based on W-2 law, the 60-month clock ticks for **all** adults in the W-2 group, regardless of whether he or she is in a W-2 employment position **and** regardless of whether that person will ever be eligible to be placed in a W-2 employment position, e.g., the 60-month clock ticks for an individual receiving SSI. Because the adult W-2 group member with the greatest number of months accumulated counts toward the W-2 group's 60-month lifetime limit, there may be situations when the W-2 group member who reaches 60 months first is not in a W-2 employment position.

Example: John, Mary and their two children are part of a W-2 group. John began receiving SSI in 1999 and Mary was placed in a W-2 T at that time. Mary is now in a W-2 T extension because she is needed to stay at home and care for John. Through his prior participation and Mary's current participation, John accumulated 60 months on his lifetime clock (11 months on his JOBS clock, 23 months on W-2 T clock, and 26 months on his OPC clock (due to Mary's participation in W-2 T)). Mary has accumulated 49 months on her lifetime clock (23 months on her OPC clock (due to John's participation in W-2 T) and 26 months on her W-2 T clock. Therefore John will reach 60 months before Mary, although Mary is in the W-2 employment position.

POLICY

Based on current policy, the individual who has the most reasonable chance of obtaining unsubsidized employment by actively participating in work training activities and additional work support activities should be placed in the W-2 employment position. Through active participation, this individual will most likely be able to obtain unsubsidized employment. Therefore, it is reasonable to evaluate the W-2 participant when determining eligibility for an extension for the W-2 group. It is also reasonable to evaluate the W-2 participant in situations where the individual who reaches 60 months first may never be eligible for placement in a W-2 employment position. To evaluate someone that may never be eligible for participation is inconsistent with the W-2 law and philosophy.

Therefore, an extension for the W-2 group will be based on applying the combined criteria *to the W-2 participant in the W-2 group, regardless of whether or not that individual reached 60-months first.*

Example: In the example above, Mary would be evaluated using the combined criteria to determine whether or not John's 60-month clock will be extended, thus extending eligibility for the W-2 group.

When a W-2 group with more than one adult has been granted a 60-month extension, all other adults in the W-2 group will be able to exceed their 60-month and 24-month time limits while they are a member of the W-2 group. The reason for this being that the group has been evaluated for an extension already based on another adult in the W-2 group reaching 60 months first. Therefore, the W-2 agency would not be required to submit an extension request for this individual. The length of the other parent's extension would be equal to the first extension **or** it would be equal to the amount of time remaining on the sixty-month extension, whichever is less.

Example: In the example above, Mary will have used two months of her six month 24-month extension when John is granted a 12 month 60-month extension. When Mary reaches the end of her 6-month W-2 T extension, there will be 8 months remaining on the 60-month extension. Therefore, the FEP would automatically enter an additional 6-month extension for Mary since this is the lesser amount of time.

REPORTS

A new Enterprise Output Solutions (EOS) report is available for tracking 60-month participants. The **Individuals With 48 - 60 Months In Lifetime Clock** (Report ID: **PWCRP832**; Form Name: **C747**) is now available on EOS. The report tracks individuals who have reached 48 months on their 60-month clock. These individuals will remain on this report until they reach 60 months. There are discussions underway regarding a report to track individuals in 24-month and 60-month extensions.

The comment field on the C747 report provides the following information:

1. **[Placement] Extension until [date]:** Indicates any W-2 individual with a state approved 24-month extension that has not ended (and may not have begun yet). Also, the extension may be in place for one employment position while the individual is now in another (if there is still time left on the extension).
2. **60 Months Before 24 Months:** Indicates that the individual may reach 60 months before ever reaching 24 months in any placement. The 2nd parent in a W-2 group will often get this.

There will be no comment if the individual reached 24 months and there was no extension requested.

UPDATED EXTENSION REQUEST FORMS

The following forms will be updated and renamed to reflect information about 60-month extensions:

FORM #	OLD NAME	NEW NAME
DES 11661	<i>Wisconsin Works Agency W-2 Employment Position Extension Record</i>	<i>W-2 Agency Time Limit Extension Record</i>
DES 11282	<i>24-Month W-2 Employment Position Extension Request</i>	<i>W-2 24-Month and 60-Month Time Limit Extension Request</i>
DES 11283	<i>24-Month W-2 Employment Position Extension Review Request</i>	<i>W-2 24-Month and 60-Month Time Limit Subsequent Extension Request</i>

These forms will be made available on the DES Forms Repository by the end of June 2001. Once they are available on the repository, agencies will be notified via a DXBM and through regional office contact.

WHAT'S NEXT

This is just the first memo in a series of Operations Memos concerning 60-month time limits. Future memos will address specific areas such as: entering extension information into CARES and detailed discussions on how the 60-month time limit impacts two-parent families and Custodial Parent of an Infant participants.

Until that time, W-2 agencies should: 1) Begin discussing extensions with participants who have reached 54 or more months on their 60-month clock; and 2) Assessing whether those participants are eligible for a 60-month extension based on the combined extension criteria presented in this memo. If it is determined that these individuals are not eligible, the agencies should use the current the *W-2 Agency Time Limit Extension Record* (DES 11661) to begin documenting the decision.

If it is determined that they are eligible for an extension, the agency should begin compiling the necessary documentation to support the extension request. Currently, June 25, 2001 is the target date that FEPs will be able to enter extension decisions in CARES. Additional information on this will be forthcoming.

Although CARES entry will not be possible until that time, agencies must still submit extension requests to their DWS Regional Offices timely. For example, extension materials for participants who will reach 60-months at the end of September 2001 must be submitted by June 30, 2001.

CONTACT

DES CARES Information & Problem Resolution Center

Email:

carpolcc@dwd.state.wi.us

Phone:

608-261-6317 (Option #1)

Fax:

608-266-8358

Note: Email contacts are preferred. Thank you.

**Time Limit Extensions
Policies and Procedures**

		24-Month Policy/Process	60-Month Policy/Process
1.	<i>Who determines whether or not a W-2 agency requests a 24-month or 60-month extension?</i>	If the participant believes s/he needs an extension and the W-2 agency determines the participant qualifies for an extension, the agency would seek state approval by submitting an application to DWD. (OM 99-49)	Same
2.	<i>At what point must a discussion regarding extensions take place with the participant?</i>	A discussion regarding a 24-month extension must take place no later than when the participant reaches the 18 th month in a W-2 employment position. (OM 99-49)	A discussion regarding a 60-month extension must take place no later than when the participant reaches the 54 th month of the 60-month lifetime clock. <i>If a person enters W-2 with more than 54 months, a discussion must take place at application.</i>
3.	<i>How does the W-2 agency determine whether or not someone qualifies for an extension?</i>	By applying the combined 24-month and 60-month extension criteria.*	By applying the combined 24-month and 60-month extension criteria.
4.	<i>How does the W-2 agency record the extension decision?</i>	By documenting the decision in case comments, filling out the <i>W-2 Agency Time Limit Extension Record (DES 11661)</i> and entering the information on CARES screen AIWE. * (OM 99-49)	Same.
5.	<i>When must the agency's extension decision be entered in CARES?</i>	When the participant reaches 20 months of eligibility.*	When the participant reaches 56 months of eligibility. <i>If person enters W-2 with more than 56 months, decision must be made at application.</i>
6.	<i>What happens if an individual is not eligible for an extension?</i>	The individual is no longer eligible for placement in the employment position in which he or she reached 24 months. (W-2 Manual 2.3.2, 7.3.0, 7.3.1, 7.3.2)	The individual is no longer eligible for placement in a Trial Job, CSJ or W-2 T placement.
7.	<i>What is the maximum length for which an extension may be granted?</i>	Up to 6 months. (OM 99-49)	Up to 12 months with a 6 month review.

		24-Month Policy/Process	60-Month Policy/Process
8.	<i>When must an extension request be submitted to DWD?</i>	All 24-month extension requests must be in the DES Regional Offices no later than 3 calendar months prior to the last day of the participant's 24 th . (OM 99-49)	Same
9.	<i>What forms and documentation are used to submit an extension request?</i>	The <i>W-2 24-Month and 60-Month Time Limit Extension Request (DES 11282)*</i>	Same
10.	<i>How can a participant dispute the extension decision made by the agency?</i>	Initiating a fact finding at the W-2 agency. (OM 99-49)	Same
11.	<i>How can a participant dispute the extension decision made by DWD?</i>	Initiating a Departmental Review at DHA. (OM 99-49)	Same
12.	<i>How will agencies serve individuals who don't need an extension at first, but then, due to a change in circumstances or some other reason, do?</i>	Initiate an expedited review of these cases.* The agency will have to contact the DWS regional staff to ensure that an expedited review is conducted. W-2 agencies will only be able to enter interim extensions with DWS regional staff approval.	Initiate an expedited review of these cases.
13.	<i>How will agencies handle participants who were denied an extension at one agency but then move to another agency?</i>	If a participant's 24 months of eligibility expires and the original W-2 agency denied an extension, the possibility of applying for an extension remains an option with the new W-2 agency. Note: Even if the agency that originally denied an extension determines that, at a later date, the individual may now be eligible for an extension, that agency can approve an extension and initiate an extension request. (OM 99-49)	Same
14.	<i>How will agencies handle participants who were approved for an extension at one agency but then move to another agency?</i>	The extension follows the individual to the new agency. A new extension request does not have to be made until the extension expires (and only if a new extension is necessary). (OM 99-89)	Same*

* Denotes a change in 24-month extension policy.

		24-Month Policy/Process	60-Month Policy/Process
15.	<i>How will an agency handle participants who reach 24 months or near the end of a 24-month extension at around the same time as they reach the 60-month time limit?</i>	<p>Previously not applicable.</p> <p>FEPs must initiate discussions regarding 24-month extensions no later than a participant's 18th month in a W-2 employment position. If an individual falls in the category of reaching 24 months in a W-2 employment within six months of reaching 60 months on the lifetime clock, the agency would determine eligibility for a 60-month extension. FEPs would still need to initiate discussions regarding the 60-month extension process in the participant's 18th month of the W-2 24-month employment position.</p>	<p>If an individual will reach 24 months in a W-2 employment position or the end of a 24-month extension within 6 months of reaching the 60-month lifetime clock, the agency would determine eligibility for a 60-month extension. If the participant reaches 24 months in a W-2 employment position or the end of a 24-month extension during the 60-month extension period, the participant would not have to be evaluated for a 24-month extension. The 60-month extension would take precedence.</p>
16.	<i>Will subsequent extensions be permitted?</i>	Yes, as long as additional conditions are identified or conditions necessitating the initial extension have not been improved or resolved and the participant continues to be eligible (OM 99-49).	Same
17.	<i>When must FEPs discuss subsequent extensions?</i>	No later than 2 calendar months prior to the end of the 24 month extension.	No later than 4 calendar months prior to the end of the 60-month extension.
18.	<i>What criteria are used for subsequent requests?</i>	Same criteria as initial requests (OM 99-49).	Same
19.	<i>When should subsequent extension requests be submitted?</i>	One calendar month prior to the last day of the extension period	Three calendar months prior to the last day of the extension period.
20.	<i>How are subsequent extensions requests made to the Department?</i>	The <i>W-2 24-Month and 60-Month Subsequent Extension Request</i> form (DES 11283).* (OM 99-49)	Same

* Denotes a change in 24-month extension policy.